

FILED
IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

Anthony Meldon,

Plaintiff,

v.

The Village of Chagrin Falls, et al.,

Defendants.

CLERK U.S. DISTRICT COURT
NORTHERN DISTRICT OF OHIO
CLEVELAND

CASE NO. 1:16 CV 2085

JUDGE DONALD C. NUGENT

MEMORANDUM OPINION
AND ORDER

This matter is before the Court on the Plaintiff's Motion to Remand this action to the Court of Common Pleas for Cuyahoga County. (ECF #5) Defendants Village of Chagrin Falls, Thomas Brick, David B. Bloom, Ben Himes, Harry Edwards and the Picone Company, Inc., removed the action to this Court pursuant to 28 U.S.C. § 1441(a) because the Complaint asserts two federal claims over which this Court has original jurisdiction. The Complaint also asserts several state law claims over which the Court has supplemental jurisdiction. In his Motion to Remand Plaintiff acknowledges that he has asserted a federal takings claim. The Complaint also purports to alleged a claim for unconstitutional False Arrest/False Imprisonment. As there is no private cause of action under the Ohio Constitution for an alleged unconstitutional arrest/imprisonment, the only potential viable claim is under the United States Constitution. See *Ware v. Sanderson*, 2013 WL 587583, at *3 (N.D. Ohio 2013) Accordingly, removal of this action was appropriate under 28 U.S.C. § 1441(a)(1) and Plaintiff's Motion to Remand (ECF #5) is denied.

IT IS SO ORDERED.


DONALD C. NUGENT
UNITED STATES DISTRICT JUDGE

DATED: October 18, 2016